IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.3525 OF 2004

Mr.H.M.Deshpande h/f Mr.V.A. Gangal for the Petitioner.

Office Notes, Office Memoranda of Coram, appearances, Court's order or directions	Court's or Judge's orders
	CORAM: D.K.DESHMUKH, J.
	DATED: 3RD AUGUST,2005

P.C.:

The orders which are impugned in the petition have been passed in favour of the Respondent No.1. By order dated 20th April, 2004 the court had directed the Petitioner to effect service of the notice on the Respondent No.1 and file affidavit of service before the returnable date. Returnable date was 30th April, 2004.

2. Admitted position is that before

30th April, 2004 the Petitioner did not file an affidavit of service in relation to the Respondent No.1. Therefore, as a result of operation of the order dated 20th April, 2004 the petition as against the Respondent No.1 stands dismissed. If the petition is dismissed against the Respondent No.1, petition against other Respondents can not survive. Office to treate the petition as disposed of.

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